



Personal Injury Discount Rate (PIDR)

Expert Panel Meeting Minutes

Friday 19 January 2024 10:00 - 12:00

10 South Colonnade, London, E14 5EA

Expert Panel members

Fiona Dunsire (Chair)

Charl Cronje

Donald Taylor

Dr Rebecca Driver

Edward Tomlinson

Additional attendees

Rachel Powell, Policy Lead, Ministry of Justice

Martha Thompson, Policy Advisor, Ministry of Justice

Andrew Meads, Deputy Chief Economist, Ministry of Justice

Paul Butcher, Government Actuary's Department

Robert Williamson, Government Actuary's Department

1. Welcome and introduction

1.1. The Chair welcomed attendees to the fifth substantive meeting of the Expert Panel and summarised the outstanding actions from the last meeting.

1.2. The minutes from the November and December meetings were approved by the Panel.

1.3. The Chair asked Panel members to declare any potential new conflicts of interest arising.

1.4. RP provided an outline of the updated workplan which now includes detail of the tasks that the Panel is likely to undertake between meetings. It was decided that this would be a live document that comes to each meeting.

2. Format of Expert Panel advice to Lord Chancellor

2.1. PB introduced the item and took the Panel through the paper prepared by GAD.

2.2. A helpful discussion was held on how the Panel would like to provide their advice to the Lord Chancellor. It was agreed that this would be in the form of a written report.

2.3. The Panel will be commissioning GAD to provide the analytical content. It was decided that this would be introduced to the Panel's report as an annex.

2.4. MoJ will produce a detailed summary of the Call for Evidence responses in due course. A decision on whether this would be included as an annex to the EP report will be made on a future date once the Panel has seen the summary.

2.5. A discussion was held about the broad content and structure of the report, including the most appropriate approach the providing options to the Lord Chancellor. Practical considerations around the approach to drafting the report were also discussed.

3. Technical memo

3.1. PB introduced the item and paper which asks the Panel for a decision on whether they wish to produce a technical memo – to precede their advice to the Lord Chancellor – which would set out the analytical approach adopted for the upcoming review, as was produced in 2019.

3.2. The Panel decided that they will not produce a new technical memo given that the published minutes exist as a vehicle for informing stakeholders of key elements of the analytical approach. Additionally, the methodology is sufficiently in line with the 2019 approach to suggest that producing a new technical memo would not add sufficient value to the process.

4. Targeted data collection

4.1. RP introduced the item and the targeted data collection proposal paper which has been updated to reflect the decisions made at the December meeting, setting out the data that the Panel would like to seek and from whom.

4.2 The Expert Panel is seeking data from organisations across the claims and investment management sectors on:

- Claim and claimant characteristics;
- Heads of loss;
- Damage inflation;
- PPOs; and
- Investments and investor expenses.

Much of this additional data is likely to be commercially or otherwise sensitive and therefore unlikely to be shared via the public Call for Evidence.

4.2. The paper also sets out which Panel members will be attending each meeting. The Panel confirmed that they were content with the proposals.

ACTION: MoJ to set up targeted data collection meetings.

5. Heads of loss grouping

5.1. RP introduced the item. It was agreed at the last meeting that, if dual or multiple rates on the basis of heads of loss are to be considered, some policy direction from MoJ on the appropriate groupings is likely to be beneficial.

5.2. MoJ policy and analysis have commenced discussions and provided the Panel with an update on their initial thoughts. The policy view will be communicated in the shared understanding document which will first be shared in draft at the next meeting.

5.3. This document is being produced by MoJ to represent the Expert Panel's shared understanding of and key decisions on issues pertinent to the review of the PIDR. It is likely that elements of this paper will be repurposed for use in the non-analytical elements of the Panel's report to the Lord Chancellor. It will be for the Panel to decide how they use these elements.

6. Next agenda and forward look

6.1. The Chair gave an overview of the agenda for the next meeting on 1 March 2024.

6.2. The meeting concluded.